



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT

APPLICANT: Aucoin ATT. DOCKET NO.: DAuco-01-A
SERIAL NO.: 10/033,603 GROUP ART UNIT: 3753
FILED: Dec. 28, 2001 EXAMINER: George L. Walton

TITLE: "WATER-EXCLUDING VALVE ASSEMBLY FOR A SNORKEL"

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

MAR 03 2004

TECHNOLOGY CENTER R3700

SIR:

In response to the Office action dated December 16, 2003, Applicant submits the following remarks.

REMARKS

This Amendment is submitted in response to the Office action dated December 16, 2003. In the Office action, the Patent Office rejected Claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over *Lin* in view of *Wayfield*. In addition, the Patent Office rejected Claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over *Wayfield* in view of *Lin*. By the present Amendment, Applicant respectfully submits that the rejections are improper and should be withdrawn.

With respect to the rejection of Claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over *Lin* in view of *Wayfield*, Applicant respectfully submits that this rejection is improper and should be withdrawn for the reasons that follow.

The Office action states "[Claims 1-4] are readable on the patent to *Lin* with the single exception of having a specific type [of] shaped float, i.e. a spherical float ball valve. The patent to [*Wayfield*] teaches the above exception. In view of the teaching of [*Wayfield*] it would be obvious to one of ordinary skill in the art, at the time the invention was made, to provide the above exception to the device of *Lin* to replace float valve 62 with the float ball 34, if desired."